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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**  
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11 National Association of African-  
American Owned Media, a California  
12 limited liability company; and  
Entertainment Studios Networks, Inc., a  
13 California corporation,

14 Plaintiffs,

15 v.

16 Comcast Corporation, a Pennsylvania  
corporation; Time Warner Cable Inc., a  
17 Delaware corporation; National  
Association for the Advancement of  
18 Colored People, a New York  
corporation; National Urban League,  
19 Inc., a New York corporation; Al  
Sharpton, an individual; National  
20 Action Network, Inc., a New York  
corporation; Meredith Attwell Baker, an  
21 individual; and DOES 1 through 10,  
inclusive,,  
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23 Defendants.  
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**CASE NO. 2:15-cv-01239-TJH-MAN**

**REQUEST FOR JUDICIAL  
NOTICE IN SUPPORT OF  
PLAINTIFFS' OPPOSITION TO  
MOTION TO DISMISS  
PLAINTIFFS' COMPLAINT BY  
DEFENDANTS COMCAST  
CORPORATION, NATIONAL  
ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED  
PEOPLE, NATIONAL URBAN  
LEAGUE, INC., AL SHARPTON,  
NATIONAL ACTION NETWORK,  
INC. AND MEREDITH ATTWELL  
BAKER**

[Opposition to Defendants' Motion to  
Dismiss filed concurrently herewith]

Judge: Hon. Terry J. Hatter, Jr.  
Date: June 8, 2015  
Time: UNDER SUBMISSION  
Crtrm.: 17

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**REQUEST FOR JUDICIAL NOTICE**

**PLEASE TAKE NOTICE** that pursuant to Federal Rule of Evidence 201, Plaintiffs National Association of African American–Owned Media and Entertainment Studios Networks, Inc. (collectively “Plaintiffs”) hereby submit this Request for Judicial Notice in support of their Opposition to Motion to Dismiss Plaintiffs’ Complaint By Defendants Comcast Corporation, National Association for the Advancement of Colored People, National Urban League, Inc., Al Sharpton, National Action Network, Inc., and Meredith Attwell Baker. Plaintiffs respectfully request that the Court take judicial notice of the following documents:

1. Memorandum of Understanding between Comcast Corporation, NBC Universal and The African American Leadership Organizations (filed December 17, 2010), *available at* <http://fjallfoss.fcc.gov/ecfs/document/view?id=7020924347> (“MOU”). A true and correct copy of the MOU is attached hereto as **Exhibit A**.

2. Statement from FCC Chairman Tom Wheeler on the Comcast-TWC Merger (April 24, 2015), *available at* <https://www.fcc.gov/document/chairmans-statement-comcast-twc-merger> (“Wheeler Statement”). A true and correct copy of the Wheeler Statement is attached hereto as **Exhibit B**.

3. Second Amended Modified Joint Protective Order (November 12, 2014), *available at* <https://www.fcc.gov/document/comcast-twc-2nd-amended-modified-joint-protective-order> (“FCC Protective Order”). A true and correct copy of the FCC Protective Order is attached hereto as **Exhibit C**.

4. Memorandum Opinion and Order (January 20, 2011), *available at* [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-11-4A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-11-4A1.pdf) (“Comcast/NBCU Order”). A true and correct copy of the Comcast/NBCU Order is attached hereto as **Exhibit D**.

These documents are proper subjects for judicial notice. All are public records that “can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b)(2); *see also Meyer v.*

1 *Portfolio Recovery Assocs., LLC*, 2011 WL 11712610, at \*8 n.18 (S.D. Cal. Sept.  
2 14, 2011) (“[C]ourts regularly take judicial notice of . . . documents that are  
3 administered by or publicly filed with [an] administrative agency.”); *Moore v.*  
4 *Verizon Commc’ns, Inc.*, 2010 WL 3619877, at \*3 (N.D. Cal. Sept. 10, 2010)  
5 (taking judicial notice of FCC opinion and order); *Lyons v. Coxcom, Inc.*, 718 F.  
6 Supp. 2d 1232, 1237 (S.D. Cal. 2009) (same).

7  
8 DATED: May 8, 2015

MILLER BARONDESS, LLP

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11 By: /s/ Louis R. Miller

12 LOUIS R. MILLER

13 Attorneys for Plaintiffs  
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